

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DENNIS MONTGOMERY, et al., ) 3:06-CV-0056-PMP (VPC)  
Plaintiffs, )  
vs. ) **ORDER**  
ETREPPID TECHNOLOGIES, LLC., et al., )  
Defendants. )

The undersigned Magistrate Judge convened a settlement conference in this action on Monday, September 15, 2008, and on Wednesday, September 17, 2008, Dennis Montgomery, Brenda Montgomery, The Montgomery Family Trust, Edra Blixseth, Opspring, LLC, eTreppid Technologies, LLC, and Warren Trepp (“settling parties) agreed to a settlement of the claims among these parties. The settling parties intend that their settlement of this action remain confidential; however, they also intend to lodge a stipulation for dismissal of their respective claims with the Clerk of Court.

Atigeo LLC and Michael Sandoval, third-party defendants, also attended the settlement conference, but they were not privy to the settlement discussions among the settling parties and objected to the settlement agreement being placed on the record out of their presence. As a consequence, the settlement agreement was not made part of the record of the proceedings, and the settling parties entered into a confidential agreement.

Subsequent to the settlement conference, Atigeo LLC and Mr. Sandoval filed a motion for notice re: settlement or dismissal (#857) and a motion for order shortening time for disposition of that motion (#858). Thereafter, former counsel for the Montgomery parties, Michael Flynn, filed a motion to retain jurisdiction over motion for sanctions (#860), and former local counsel for the Montgomery parties, Ronald Logar, filed a notice of attorney's lien pursuant to NRS 18.015 (#859).

The Court is apprised of the settlement among the settling parties, and it understands that in drafting the stipulation to dismiss this action among the settling parties, the settling parties agreed that this Court shall retain jurisdiction over the following: (1) the claims alleged against Atigeo LLC and

1 Mr. Sandoval as third-party defendants; (2) Mr. Flynn's attorney's fees (#s 502 & 584); (3) Mr. Flynn's  
2 motion to establish Rule 3.3 procedures pursuant to the Nevada Rules of Professional Conduct (#540);  
3 (4) Mr. Flynn's motion for sanctions (#545); (5) compliance with the United States protective orders (#s  
4 252 & 253); and (6) enforcement of the mutual non-disparagement and confidentiality provisions of the  
5 settlement agreement.

6 As for Mr. Logar's recent filing of the notice of attorney's lien (#859), the Court assumes that  
7 this Court will also retain jurisdiction over that matter.

8 In light of the Court's understanding of the terms of the settlement agreement and its continued  
9 jurisdiction over the matters outlined above, and good cause appearing,

10 **IT IS ORDERED** that the settling parties shall lodge with the Clerk of Court a document styled  
11 as a *proposed* stipulation and dismissal with prejudice containing the above-stated reservation of  
12 jurisdiction no later than **5:00 p.m. P.D.T. on Friday, September 26, 2008**. Thereafter, Atigeo LLC  
13 and Mr. Sandoval, third-party defendants, as well as interested parties, the United States, Michael Flynn  
14 and Ronald Logar, will have leave to file objections to the proposed stipulation or, alternatively, to  
15 consent to its terms, **no later than 5:00 p.m. P.D.T. on Wednesday, October 1, 2008**.

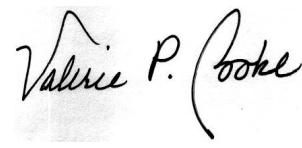
16 **IT IS FURTHER ORDERED** that Atigeo LLC and Mr. Sandoval's motion for notice re:  
17 settlement (#857) and motion to shorten time (#858) are DENIED as moot.

18 **IT IS FURTHER ORDERED** that all briefing on motions and any other court-ordered  
19 deadlines in this matter are **STAYED** until disposition of the settling parties' stipulation for dismissal  
20 with prejudice.

21 **IT IS SO ORDERED.**

22 **Dated:** September 23, 2008.

23   
24 UNITED STATES DISTRICT JUDGE

25   
26 UNITED STATES MAGISTRATE JUDGE